UNITED STATES
GENERAL ACCOUNTING OFFICE

### REPORT TO THE CONGRESS

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### Federal Prison Construction Plans Should Be Better Developed And Supported

Bureau of Prisons
Department of Justice

In response to a Presidential directive, the Bureau of Prisons developed a long-range plan in 1970 for improving the Federal prison system. This included a program for constructing 66 additional facilities, including 31 small youth community facilities, at an estimated cost of \$670 million. As of June 30, 1975, the size of the construction program had been reduced to 34 facilities, including 7 satellite camps, at an estimated cost of \$460 million of which \$111 million had been appropriated by the Congress.

GAO discusses the information the Bureau uses to determine how many and what types of prisons are needed. Notwithstanding an apparent need for additional facilities, GAO believes improvements should be incorporated in the planning process and several recommendations for improvements have been made to the Attorney General.

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### COMPTROLLER GENERAL OF THE UNITED STATES WASHINGTON, D.C. 20348

B-133223

To the President of the Senate and the Speaker of the House of Representatives

This report summarizes our examination of the Bureau of Prisons' construction program. It discusses the information the Bureau used in determining the number and type of prisons needed and the use of life-cycle costing.

We made this review because of the size of this program and the long-term effect it will have on Bureau operations and inmate lives.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

We are sending copies of this report to the Director, Office of Management and Budget; the Attorney General; the Director, Bureau of Prisons; and the Administrator of General Services.

Comptroller General of the United States

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### ABBREVIATIONS

CTC	community treatment center
GAO	General Accounting Office
GSA	General Services Administration
MCC	metropolitan correctional center

COMPTROLLER GENERAL'S REPORT TO THE CONGRESS

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FEDERAL PRISON CONSTRUCTION PLANS SHOULD BE BETTER DEVELOPED AND SUPPORTED Bureau of Prisons Department of Justice

### DIGEST

In response to a Presidential directive, the Bureau of Prisons developed a long-range plan in 1970 for improving the Federal prison system. From a wide range of information and experience, it projected the number and types of facilities needed.

As of June 30, 1975, the Bureau's construction program called for building 34 facilities, including satellite camps, at an estimated cost of \$460 million. At that time, the Congress had appropriated \$111 million and two facilities had been completed. Since 1970 the Bureau has obtained five additional facilities that were not a part of the construction program.

Given that the national correctional policy calls for a more humane and effective prison system and that prison populations have increased and are expected to increase further, GAO believes that improvements can be made in the Bureau's long-range planning process. While some improvements have been made, the Bureau can do more to assure that the proper number and types of prisons will be built. The uncertainties that effect how the Bureau determines future requirements are:

- --Size of the future prison population. (See p. 10.)
- --Types of facilities that will be needed. (See p. 13.)
- --Capacity of the existing facilities that will be retained for use. (See p. 18.)
- --Number of prisoners that could be housed in non-Federal facilities. (See p. 20.)

Principal weaknesses in the Bureau's program included the need for

- --better information on present and future custody level requirements,
- --more accurate information on the present and future capacity of its existing facilities, and
- --a better developed and documented long-range
  plan.

The Bureau should maintain a range of estimates of expected population and specify the
possible variations (both higher and lower).
The Bureau should then gear its construction
program to satisfy its minimum estimate of
projected population until better support for
its future construction needs is developed.
The Department of Justice stated that a
Justice-wide statistical information center,
which has been repeatedly recommended since
1934 by a variety of independent commissions
and experts, would enable the Bureau to better
predict inmate population trends. The needed
actions to support the construction program
are discussed on page 23.

The Bureau does not use life-cycle costing when designing new facilities. It should. This technique considers future operating costs as well as construction costs. It is used within and outside of Government. Its use could lead to overall reduced costs. (See p. 26.)

The Department of Justice told GAO that there were a number of recommendations contained in this report with which they agreed. Most of these have been incorporated into their planning activities and others will be included in the future. (See app. I.) However, the Department said:

"\* \* \* The Congress and the Executive Branch are calling for stronger law enforcement, swifter trials and more certain punishment. The impact on virtually every prison system in the nation is alarming and the federal prison system's population alone has reached an all-time high, rising by about 2,000 in the past five months.

The challenge is in further developing the Bureau's capability to meet the increasing responsibilities that lie ahead. The momentum achieved during recent years with the support of Congress must be sustained."

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#### CHAPTER 1

### ARC 3 - 5

#### INTRODUCTION

The Bureau of Prisons was created in 1930 to provide for the custody, care, and treatment of Federal law offenders sentenced to prison. About 80 percent of its inmates are housed in Federal institutions and about 20 percent in State and local facilities, where many are awaiting trial. At the end of fiscal year 1975, Bureau institutions and other facilities had about 23,600 and 5,000 inmates, respectively. Its appropriations exceeded \$220 million in fiscal year 1975.

### EXISTING SYSTEM

Bureau institutions are located in 23 States at sites ranging from rural communities to major metropolitan areas. Some institutions are new, while others are from about 70 to more than 100 years old. Capacities range from 15 to 1,900 inmates, and types of custody range from open, almost total freedom, as in camps, to close and restricted movement, as in penitentiaries.

The Bureau operates various types of correctional facilities. The Bureau's population by type of institution and a discussion of some of the facility types are presented below.

### Bureau Institutions (as of 6/30/75)

	Percent of		Percent of
		•	total .
Number	number	<u>tion</u>	population
6	11.5	7,792	33.0
7	13.5	4,613	19.6
8	15.4	4,893	20.7
10	19.2	2,706	11.5
			•
12	23.1	468	2.0
4	7.7	1,313	5.6
3	5.8	632	2.7
1	1.9	614	2.6
			•
<u>1</u>	1.9	<u>535</u>	2.3
<u>52</u>	100.0	23,566	100.0
	7 8 10 12 4 3 1	Number         total number           6         11.5           7         13.5           8         15.4           10         19.2           12         23.1           4         7.7           3         5.8           1         1.9           1         1.9	Number         total number         Population           6         11.5         7,792           7         13.5         4,613           8         15.4         4,893           10         19.2         2,706           12         23.1         468           4         7.7         1,313           3         5.8         632           1         1.9         614           1         1.9         535

a/Four are independent facilities while the remaining six although separately identified as camps are administratively and, in some cases, physically a part of other facilities.

b/Some cities have more than one center. These additional centers are referred to as satellite centers. There were five satellite centers as of June 30, 1975.

### Penitentiaries

Penitentiaries usually offer close custody for long-term, hardcore adult inmates. They are normally large, fortress-like structures with towers from which inmate movement is monitored. The Bureau operates 6 penitentiaries housing about 7,800 inmates; their planned capacities range from 525 to 1,900 inmates.

### Correctional institutions

The inmate population of some correctional institutions is predominately young adult, generally offenders 18 to 26 years old; others are for older adult offenders. This type of facility is vaguely defined and ranges somewhere between that of penitentiaries and camps, but its appearance may resemble either. For example, the young adult institution at Lompoc, California, is architecturally equivalent to a penitentiary. The Bureau operates 15 correctional institutions which house over 9,500 inmates. Their planned capacity ranges from 250 to 1,000 inmates.

### Camps

Camps, customarily minimum-security facilities, are used for offenders who are considered trustworthy and not likely to try to escape and who have 3 years or less to serve initially or are near the end of a longer sentence. Camps usually have no fences and inmates remain there on their honor. The Bureau operates 10 camps housing about 2,700 inmates, or 11 percent of the population. Camps vary in capacity from 95 at Marion, Illinois, to 450 at Eglin Air Force Base, Florida, and most are near major Bureau institutions or on military bases. With some exceptions, camps offer fewer rehabilitation programs than the other institutions.

### Community treatment centers

A community treatment center (CTC), also called a half-way house, is a residential facility used primarily for offenders who are within 60 to 90 days of their release to help them in the transition from institutional life to freedom in the community. While there, inmates can attempt to locate a job and establish a residence in the community. The Bureau operates 17 CTCs in 12 major cities.

The inmate capacity of these centers ranges from 15 to 54; total capacity is about 500--enough to house about 2 percent of the inmate population. The Bureau also has contracts to use nearly 200 other residential units operated by public and private agencies. According to the Bureau, the

number of offenders participating during fiscal year 1975 in CTC activities was about 2,750 in Federal CTCs and 4,100 in contract facilities.

### Metropolitan correctional centers

Metropolitan correctional centers (MCCs)--located down-town, close to courts--primarily provide pretrial detention facilities and special diagnostic services, such as study and observation. MCCs also house some short-term offenders and long-term offenders nearing the end of their confinement. The Bureau operates three centers, one each in San Diego, California; New York City (opened in July 1975); and Chicago, Illinois (opened in August 1975).

### THE FACILITIES' PROGRAM

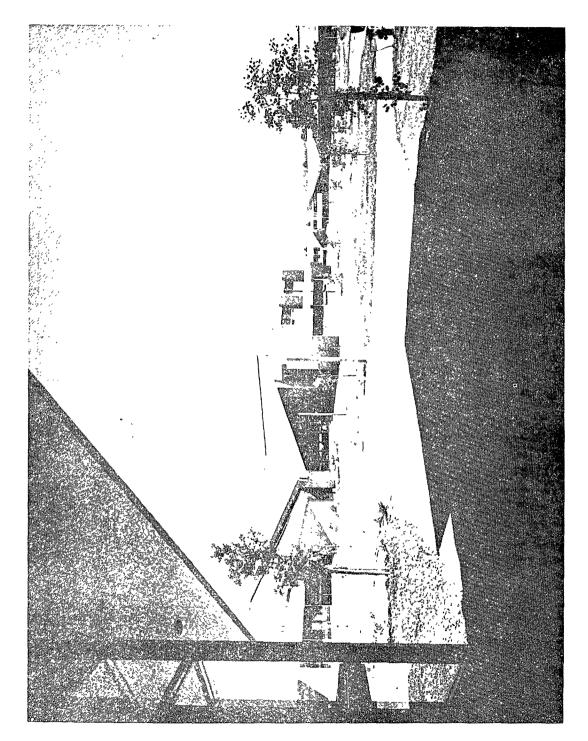
In response to a Presidential directive to the Attorney General, the Bureau in May 1970 outlined its plans to "mold the Federal Prison System into a system of improved correctional programs that will serve as a model for the Nation." An important part of this plan was related to the need for new correctional facilities to relieve overcrowding in existing prisons and to otherwise provide for better inmate treatment.

The Bureau's basic planning document is a long-range master plan which initially covered the 10-year period ending in 1980 but has since been revised to extend to 1985.

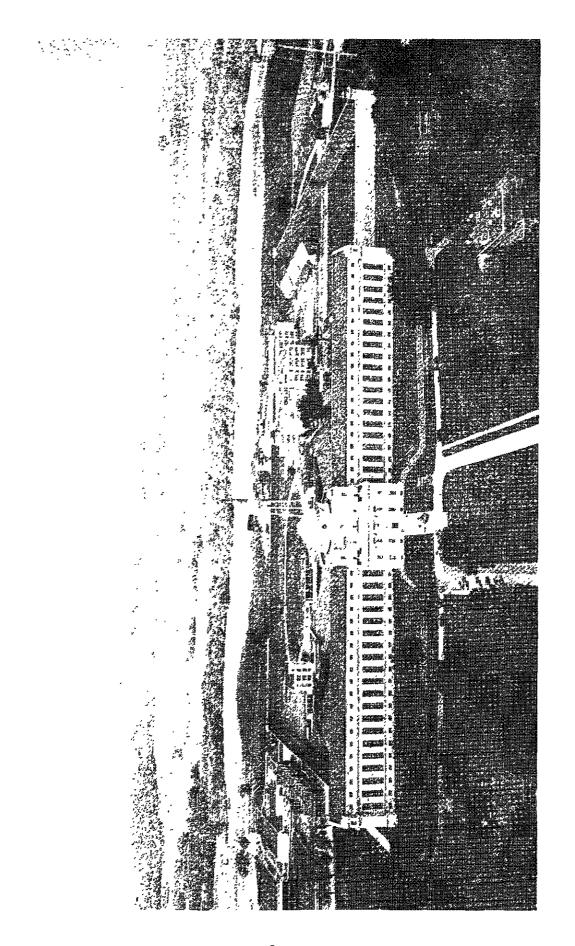
The Bureau's construction program was initially designed to meet a projected sentenced population of 26,800 by 1980. Later revisions indicate that the program has been modified to meet a projected sentenced population of 24,900 by 1985. 1/2 The Bureau made the following assumptions about the future inmate population:

- -- The percentage of offenders confined for serious or violent offenses would increase.
- --As non-Federal juvenile programs improve, juveniles who would have been under Federal custody will be diverted to non-Federal custody; by 1980 all juveniles would be under non-Federal jurisdiction.

<sup>&</sup>lt;u>1</u>/Bureau officials said that their construction program is not geared to meet the needs of Federal offenders expected to be housed in Bureau-operated MCCs and CTCs and non-Federal facilities.



FEDERAL YOUTH CENTER AT PLEASANTON, CALIFORNIA



--The combination of (1) new laws and changes in prosecuting procedures, (2) increased use of early diversion of appropriate cases, and (3) imposing longer sentences, coupled with resulting increases in the length of sentence served, would result in a more difficultto-reach and potentially more dangerous inmate group.

The three primary objectives of the Bureau's facility program are to: (1) eliminate overcrowding and provide space for an anticipated increase in new commitments, (2) eliminate certain antiquated facilities, and (3) develop new institutions which will provide a humane and more effective system of incarceration. New facilities were to be near population centers and house no more than 500 inmates.

The Bureau's facilities program has been extensively changed since it was first developed. The May 1970 plan provided 66 additional facilities (excluding CTCs) but by June 30, 1975, had been reduced to, in effect, 39 (including some facilities brought into operation through means other than construction). Most of the reduction was related to eliminating in early 1972 what was called youth community facilities, because, among other reasons, the Bureau concluded that the offenders to be housed in these facilities were being placed on probation instead of being sent to prison and that initial acquisition and operating costs would be too high to warrant this type of facility. The 1970 cost estimate for the 66 facilities, including 31 small youth community facilities, was about \$670 million; as of June 30, 1975, a Bureau official said that the estimated construction cost of the long-range plan was \$460 million of which about \$111 million had been appropriated.

The following schedule--which we prepared based upon a Bureau listing of the inmate population and a congressional staff listing of the institutions' optimum capacity, as established by the Bureau--shows, as of June 30, 1975, the general purpose of the additional beds (excluding CTCs) required by the Bureau for the projected 1985 inmate population.

		d need for tution beds
	Number	Percent
Eliminate overcrowding: Overcrowding in existing		
institutions Anticipated increase in	3,328	34.2
population by 1985	2,237	23.0
Replace institutions	4,165	42.8
Total	<u>9,730</u>	100.0

These requirements are in addition to the new beds the Bureau acquired before June 30, 1975. Since 1970 some of the Bureau's facility needs have been satisfied by acquiring existing institutions from other Government agencies rather than by new construction. In 1971 a 500-bed facility at Ft. Worth, Texas, was transferred to the Bureau from the National Institute of Mental Health. In 1973 the Bureau acquired a new 500-bed correctional facility from Wisconsin under a lease-purchase arrangement. In 1973 the Immigration and Naturalization Service let the Bureau use certain detention space for about 150 people at El Paso, Texas. (later changed to 840-bed) facility at Lexington, Kentucky, was transferred to the Bureau from the Department of Health, Education, and Welfare in February 1974. In addition, the inmate capacity was expanded by establishing a 95-bed prison camp associated with the Bureau's institution at Marion, Illinois.

Most of the Bureau's facility program involves constructing new institutions. The following schedule shows the status, as of June 30, 1975, of these new facility projects where funds have been appropriated for design and/or construction since fiscal year 1970.

Institution/project	Design or construction	Scheduled completion	Total estimated <u>cost</u>
			(000 omitted)
New York MCC	Construction	a/6/75	\$ 14,830
Chicago MCC	Construction	ნ/6/75	10,220
San Diego MCC	Completed	<sup>-</sup> 11/74	14,459
San Francisco MCC	(Deferred and funds reprogramed)		
Philadelphia MCC	(Deferred and funds reprogramed)		
Northeast Adult	Design	FY 78	23,200
Southcentral Youth	Design	FY 78	12,051
Northeast Youth (3 facilities)	Design	FY 79	63,000
Pleasanton Youth	Completed	7/74	6,622
San Diego Youth (note c)	Construction	FY 77	8,148
Camarillo Youth (note d)	Design	FY 79	18,278
Miami Youth	Construction	FY 76	8,700
Memphis Youth	Construction	FY 77	11,190
Southeast Youth	Design	FY 79	19,650
Butner Correctional			
Center	Construction	FY 76	19,250
Total			<u>e</u> /\$ <u>229,598</u>

a/Facility became operational in July 1975.

b/Facility became operational in August 1975.

c/Project canceled in October 1975.

d/Project deferred and funds reprogramed but reactivated before June 30, 1975.

 $\underline{e}$ /According to the Bureau's construction progress report, the Bureau received \$110.7 million in appropriated funds for these projects.

We prepared--based upon our review of various documents and discussions with Bureau officials--the following schedule to show, by type, the number of institutions (excluding contract facilities and CTCs) called for, in effect, by the Bureau's program as of June 30, 1975, including the number of preprogram institutions to be retained, the number constructed or otherwise acquired, the number under design or construction, the additional number planned, and total planned optimum capacity as established by the Bureau.

Facility type	At program start ( <u>May 1970</u> )	Planned use of facilities in existence in May 1970 (note a)	Acquired facilities since pro- gram start	Under design or construction	Additional planned	Total planned	Total planned optimum capacity (note b)
Maximum-aquit	5	1	-	-	7	8	3,830 ( 14.8%)
Medium-adult	6	9	2	1	1	13	8,453 ( 32.6%)
Minimum-adult	8	9	1	-	10	<u>c</u> /20	4,285 ( 16.5%)
Female-adult	2	-	-	-	-	₫/-	<u>a</u> /- ( - )
Youth-young adult	9	6	2	<u>e</u> /9	1	- 18	6,733 ( 26.0%)
Psychiatric-medical-				<del>-</del>		_	
research	1	1	-	1	-	2	1,156 ( 4.4%)
Detention centers	2	-	1	-	-	1	150 ( .6%)
Metropolitan correc-						_	
tional center	<u>-</u>	=	1	<u>£/2</u>		_3	1,325 (5.18)
Total	33	<u>26</u>	<u>7</u>	<u>13</u>	19	<u>65</u>	25,932 (100.0%)

a/Includes plans for (1) deactivating seven facilities and (2) converting seven facilities to a different type; for example, one medium adult prison will be converted to a young adult facility.

b/Except for two MCCs, optimum capacity represents 95 percent of total design capacity-segregation and hospital beds are excluded. For these centers we used the capacity figures provided by the Bureau during congressional hearings. Thus, 100-percent capacity would be 27,252.

c/Nine will be independent facilities and the other 11 are or will be related to other major facilities.

 $<sup>\</sup>underline{d}/\text{About 1,100 female offenders will be in co-correctional facilities.}$ 

e/The San Diego youth facility which had been under construction at the end of June was canceled in October 1975.

f/The New York and Chicago MCCs became operational in July and August 1975, respectively.

### CHAPTER 2

### BUREAU'S FUTURE FACILITY REQUIREMENTS

#### NEED TO BE MORE ADEQUATELY ESTABLISHED

The Bureau has used a wide range of information and experience to project the number and types of future prisons needed and is acquiring more and better facilities. The factors that affect how the Bureau determines its future requirements are:

- --Size of the future prison population.
- -- Types of facilities that will be needed.
- --Capacity of the existing facilities that will be retained.
- --Number of prisoners that could be housed in non-Federal facilities.

Given that the national correctional policy calls for a more humane and effective prison system and that prison populations have increased and are expected to increase further, we believe that improvements—some of which have been made—can be made in the Bureau's long—range planning process. The Bureau needs to more adequately establish and support its requirements and strategies for future facilities to assure that it will be building the proper number and kind of prisons and to provide a better basis for policies and actions for constructing and operating non—Federal, as well as Federal, penal facilities.

We discussed the Bureau's plans and some of the information obtained during our review with the Bureau's Director and executive staff in April 1975. Bureau officials said while they may not have documented their actions as fully as they should have, their decisions on the number and types of prisons needed and the actions taken were sound. The Director stressed the Bureau's use, for a few years, of an advisory panel (comprised of several individuals outside the Bureau) to review design and construction plans for new institutions. According to Bureau records, the advisory panel first met with Bureau officials during February 1971. A total of nine meetings were held; the last meeting was held during February 1973.

#### SIZE OF FUTURE PRISON POPULATION IS UNCERTAIN

Accurate long-range forecasts of inmate population are difficult to make. In a 1966 long-range planning document, the Bureau stated that a steady decline in the inmate population, which started in 1962, was expected to continue for several years. For fiscal years 1962-67 the inmate population declined by about 5,000 inmates, or over 20 percent. However, it increased in 1968 and continued to increase through fiscal year 1974. The Bureau's average daily inmate population during fiscal year 1975 was about 300 less than fiscal year 1974. (However, as of February 1976, the Bureau's population reached a high of about 25,600.)

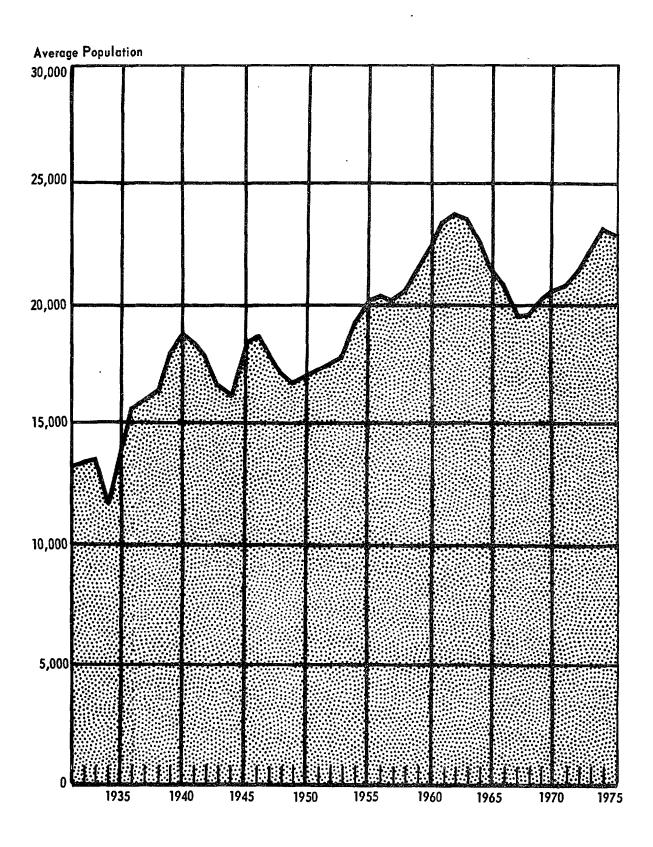
The Bureau's average population has increased from about 12,600 to about 23,000 from fiscal year 1931 through 1975. This change was not constant but fluctuated considerably, as shown on page 11.

These changes were often dramatic. For example, in October 1973 the Bureau said: "Our population has been going up at an unprecedented rate in the past 12 months. We anticipate it will continue to go up at nearly the same rate in the future." A year later, in an internal study, a Bureau official said:

"After a four year period of steady growth in institution population we seem to have reached at least a temporary flattening of the growth incline; and in the most recent quarter the population has begun to decline at a rate substantially in excess of the normal seasonal downturn."

To determine whether this change was only a temporary deviation in the pattern of population increases, the study analyzed nine factors "\* \* \* which seem to influence admissions significantly \* \* \*." This analysis showed that over the preceding 3 years, seven of the nine factors reflected downward trends, as shown on page 12.

### BUREAU OF PRISONS POPULATION



### Factor

 The number of Federal criminal felony proceedings initiated by the U.S. Magistrates each fiscal year.

Down

. 11

- 2. The number of Federal criminal cases pending before the U.S. district courts at the beginning of each fiscal year.
- 3. The number of Federal criminal cases begun by indictment or information during each fiscal year.
- 4. The number of Federal criminal cases ended during each fiscal year.
- 5. The number of Federal criminal cases pending at the end of each fiscal year.
- 6. The number of criminal defendants (not identical to number of criminal cases) convicted each fiscal year.
- 7. The percentage of defendants convicted each fiscal year.
- 8. The number of convicted criminal defendants sentenced to prison each fiscal year.

No clear trend

 The percentage of convicted criminal defendants sentenced to prison each fiscal year.

Bureau officials said this study did not provide a complete and balanced examination of factors the Bureau used to forecast long-range population. In the fiscal year 1976 budget request, the Bureau stated that the inmate population was expected to continue to increase but very likely at a slower rate.

Forecasts of inmate population are especially difficult when, as with the Bureau, measures of the influence of other parts of the criminal justice system play a primary role in forecasting efforts. Department of Justice officials said, although the Bureau constantly attempts to monitor such factors, its effort would be more effective if there was a

statistical information center for the entire Department which would routinely correlate data from the various criminal justice entities in a systematic fashion. We were told that many independent commissions and experts since the 1934 Committee on Government Statistics and Information Services have repeatedly recommended such a center to the Department, but little progress has been made in achieving such a center. They said the center would help prevent the recurrence of the Bureau's statistical information problems and would enable the Bureau to better predict inmate population trends.

The Department of Justice noted the (1) uncertainty of long-range predictions, (2) Bureau's constant monitoring of population factors, and (3) Bureau's adoption of highly flexible design and planning strategies. Department and Bureau officials have noted that the inmate population has increased considerably, during the first 8 months of fiscal year 1976 (an increase of about 2,000) and that indications are that the population will continue to grow. They feel their current population estimate is conservative.

Because of the difficulties of long-range population forecasting, we believe that such forecasts should be better supported and explained in their long-range planning documentation in terms of the (1) relationship between the pace for new construction starts and the forecasted population, (2) extent to which the number and type of inmates housed in the older and overcrowded facilities could be placed in existing facilities and/or those under construction if overbuilding occurs, and (3) importance, interrelationship, and consistency of use of the factors the Bureau uses in making population forecasts. Further, we believe that the strategies that the Department said it had but did not identify should be a part of the written long-range plan to provide a documented basis for program review and revision.

As for strategies, the Bureau in its initial long-range plan included a range of estimates for future needs-specification of an upper and a lower bound on the point estimate of the forecasted sentenced population. This technique should be reestablished. The bounds should show the best estimates the Bureau can make of the most and least favorable projected sentenced population.

### MIXTURE OF FACILITIES REQUIRED IN FUTURE IS UNCERTAIN

The Bureau may place inmates in one of various types of facilities. The Bureau's program for new facilities

considers the custody or security needs of the inmate population. The Bureau should, however, obtain more complete information on the custody or the supervision required by the population to lessen the uncertainty on the types of facilities required. Also the Bureau needs to give more attention to determining the most effective size, by type, of institution to better insure the appropriateness of its facilities.

### Better data on inmate custody requirements needed

The various types of facilities provided in the Bureau's facility program are partly determined on the basis of the future custody needs of adult male offenders. The Bureau reviews current custody levels as one factor in projecting future custody needs. As of June 30, 1975, the Bureau estimated that the expected 1985 sentenced inmate population in its regular institutions would be about 16,400 adult male offenders.

The Bureau generally classifies inmates into one of three custody levels: close, medium, or minimum. In general, the custody level shows how much security or supervision an inmate requires, considering such things as sentence length, type of offense and prior record, history of assaultive or violent behavior, institutional adjustment, and potential for escape. For example, all institutions have some inmate jobs which require work outside, such as land-scaping and cleanup.

Inmates with minimum custody may be allowed outside the institution with periodic supervision; inmates with medium custody may be allowed outside under constant supervision; and inmates with close custody may not be allowed outside at any time. Close custody inmates are usually housed in high-security facilities, such as penitentiaries. All facilities have some minimum-custody inmates. Inmates at camps and CTCs are generally minimum security.

During confinement an inmate's assigned custody may change several times. While the Bureau's headquarters used data showing the initial custody levels assigned to about 34 percent of the inmates committed to Federal prisons from January 1, 1970, to January 31, 1974, it did not have or use information on later changes. We also noted instances where the current custody level of some inmates appeared higher than necessary for reasons not related to security or possible escape. Because no guidelines for determining or changing custody level existed, its use differed greatly between institutions and even between treatment teams

within the same institution. Consequently, the Bureau's headquarters needs more accurate and complete data on inmate custody levels to better determine future facility needs and to oversee inmate supervision and control practices.

### Inconsistencies in custody levels

We visited one maximum security and three medium security institutions where we reviewed inmate custody records. The institutions' records of inmate custody levels were considerably different from the data the Bureau's headquarters had available for planning, as shown below. The Bureau's data was based entirely on the custody given to inmates soon after commitment to the institutions, while the institutions' data represented current custody.

represented current	custouy.					
		Custody breakdown (note a)				
	Inmate	Headquart	ers' data			
	custody	No. of		No. of		
Institution/type	level	inmates	Percent	inmates	Percent	
Federal Correctional Institution,						
Lompoc, California	Minimum	53	6.4	195	17.3	
(Medium security,	Medium	149	17.8	187	16.5	
young adult)	Close	<u>634</u>	<u>75.8</u>	<u>747</u>	<u>66.2</u>	
Total		836	100.0	1,129	100.0	
Federal Correctional Institution, Men's Division,				,		
Terminal Island,	Minimum	98	16.7	234	29.6	
California (Medium	Medium	470	80.2	550	69.5	
security, adult)	Close	_18	3.1	7	0.9	
Total		<u>586</u>	100.0	<u>791</u>	100.0	
Federal Correctional						
Institution,						
Texarkana, Texas	Minimum	145	29.7	227	42.8	
(Medium security,	Medium	253	51.7	241	45.5	
adult)	Close	<u>91</u>	$\frac{18.6}{}$	_62	<u> 11.7</u>	
Total		489	100.0	<u>530</u>	100.0	
U.S. Penitentiary,	36 d d	120	<i>c</i> 1	210	16.2	
Atlanta, Georgia	Minimum Medium	130	6.1 54.8	310	16.3	
(Maximum security,	Close	1,174		1,209	63.5	
adult)	Close	840	39.1	<u> 384</u>	-20.2	
Total		2,144	100.0	1,903	<u>100.0</u>	
	Minimum	426	10.5	966	22.2	
	Medium	2,046	50.5	2,187	50.2	
	Close	1,583	<u>39.0</u>	1,200	27.6	
Total		4,055	100.0	4,353	100.0	

a/Headquarters' data was produced by the Bureau's inmate information system, which included a portion of the total inmate admissions to the Federal prison system from January 1, 1970, to January 31, 1974, and was used in part to prepare the most recent revision (August 1974), as of the time of our review, to the facility plan. The institutions' data was as of July 1974.

Several Bureau officials involved in facilities' planning said the headquarters' data was unreliable because it only included initial custody classifications and because of the inconsistencies among inmate treatment teams in determining inmate custody levels.

The reliability of custody data at some institutions was questionable. At three of these institutions, we randomly selected a sample of 50 inmate cases. Our sample included 122 inmates under close or medium custody. We discussed 50 of the close and medium custody cases with the inmates' case management teams, because of indications that the inmates might qualify for a custody reduction. Based on these discussions, we found that 28 (about 23 percent) inmates could have had a lower custody. Some reasons given for not giving inmates a reduced custody were:

- --Inmate A's custody could be reduced, but he does not have a good reason to get lower custody.
- --Inmate B's custody could be reduced, but his time to serve was too short to warrant a reduction.
- --Inmate C's custody could be lower, but he never asked for a reduction.

Variations existed within the same institution. For example some team members said their inmates could get custody reductions easily, but members from another team at the same institution said they made it more difficult for inmates to get reductions.

Bureau officials said custody classifications of the current inmate population is only one of several factors and strategies employed to project custody levels of the future inmate population. They did not consider having precise or current data on inmate custody levels important in making long-range projections. They believe that their experience provides the necessary perspective as to prior and current custody requirements of the Federal prison population. We believe that the Bureau should use its existing computer-based information systems by acquiring and using more accurate and complete data on inmate custody levels to provide not only a better basis for long-range planning but also for overseeing the institutions' custody and control practices. Also the other factors and their custody projections should be identified and explained as part of the Bureau's long-range planning documentation.

### The Bureau should better use its experience in determining optimum prison sizes

The Bureau and other correctional authorities believe that an institution would work better with a smaller population. By building smaller institutions and locating them properly, inmates could be housed closer to their families, which the Bureau feels is very important in operating a humane and effective prison system. Though the Bureau plans to construct numerous institutions and has operated various types and sizes of prisons for years, few studies or evaluations have been made and documented to determine the optimum size for the various types of institutions or to compare the effectiveness of institutions of various sizes.

While correctional authorities generally agree that prisons need to be built to house smaller numbers of inmates, they do not agree on what size is most appropriate. The American Correctional Association's Manual of Correctional Standards states that:

"\* \* \* from the standpoint of safety, segregation, and a rehabilitative program, it's probable that the best results could be obtained, other things being equal, if prisoners were handled in groups not exceeding four hundred."

However, it cautions that it is

"\* \* \* equally obvious that the high per capita cost of operating small units of four hundred would not be supported with adequate legislative appropriations."

The President's Crime Commission went even further and recommended that

"\* \* \* ideally a homogeneous population of less than 100 (but not exceeding 200) offers the best milieu for treatment and maintenance."

The capacity range established by the Bureau for planning new institutions is 250 to 400 for youths and 350 to 500 for adults. Selecting a capacity within these ranges seems somewhat arbitrary, although some consideration is being given to the number of inmates currently in Federal institutions, whose residence is within the general area of the proposed facility. Three new youth institutions at Pleasanton, San Diego, and Miami are designed to have capacities of 250, 250, and 242, respectively. The estimated average inmate-day cost for these youth centers is \$29. The average inmate-day cost of existing Bureau youth institutions is about \$23.

We believe that the Bureau can better use its experience in operating institutions of various sizes to help determine the best institution size consistent with the dollars constraints and need to achieve specific program goals as effectively as possible. Variations in the sizes of Bureau institutions have a direct impact on the Bureau's facilities program. For example, if 400-bed prisons are found to be cheaper and as effective as 300-bed prisons, then the Bureau obviously would need fewer of larger prisons to house a given subpopulation. On the other hand, if 400-bed prisons are not as effective, what trade-offs are necessary between costs and effectiveness to warrant the need to build more 300-bed prisons?

### CAPACITY OF EXISTING FACILITIES THAT WILL BE RETAINED FOR FUTURE USE IS UNCERTAIN

Much of the Bureau's facilities program is directed at eliminating overcrowding and providing enough additional space to house the expected increase in population. Since the Bureau plans to retain indefinitely most of its existing facilities, their future capacity was considered by the Bureau in determining the long-range needs for additional facilities. The Bureau's capacity data was questionable because firm standards and policies were lacking and conflicting and confusing data existed concerning individual prison capacities. In our opinion the Bureau lacked a sound basis for determining overcrowding and future facility needs.

According to Bureau officials, existing institutions' capacities were established on the basis of space utilization studies done by Bureau headquarters personnel to review how institutions were used and to recommend future facility improvement projects. The space utilization teams also reviewed the then current housing capacity and recommendations for the institution's future capacity. The findings and recommendations were to be presented to the Bureau's executive staff. The Bureau made 26 space utilization studies at 20 institutions between January 1, 1970, and June 30, 1973. As of December 31, 1974, only one additional study had been made.

The Bureau had no written standards or guidelines to help the teams evaluate institution capacity. One Bureau official said, in general, the criteria for determining capacity were based on:

- --One inmate per cell.
- -- No double bunking; that is, no double-tiered beds.

- -- Open dormitories, 50 square feet per inmate.
- --Dormitories with cubicles, 60 square feet per inmate.

(We were later told that these criteria were 55 and 65 square feet per inmate, respectively.) Another official who had participated in space studies said the teams used no written standards in making their evaluations and recommendations.

Comparing the capacity data in the space utilization studies with capacity data in the Bureau's long-range facility plan showed several differences for some facilities. Examples of some differences are shown below.

### Capacities From Space Utilization Studies

		<b>D</b> 11	ture	Future capacity from
Institution	Actual	Actual	Optimum (note a)	facility plan
Federal Youth Center, Ashland, Ky. Federal Correctional	557	555	527	480
Institution, Sandstone, Minn. Federal Correctional Institution, Terminal	430	380	360	400
Island, Calif.	805	640	608	500
U.S. Penitentiary, Terre Haute, Ind.	849	794	750	690

a/Optimum capacity is generally the actual capacity less 5 percent for added flexibility.

During our review we proposed that the Bureau (1) establish specific guidelines and standards to evaluate current and future use of existing institutions and determine appropriate inmate housing capacities and (2) reassess the extent of overcrowding to determine whether the number of new institutions planned should be revised.

The Bureau has taken several actions to eliminate the ambiguities associated with the capacities and extent of overcrowding of its existing institutions. These actions included:

--Developing written definitions and explanations on capacity terminology.

- --Developing written standards for measuring and/or determining the capacities of existing institutions.
- --Revising institutional capacities in accordance with the new procedures.

The Bureau plans to issue formal policy guidelines for determining institutional capacities.

### NUMBER OF PRISONERS THAT COULD BE HOUSED IN NON-FEDERAL FACILITIES IS UNCERTAIN

The Bureau's inmate population, as well as the State and local correctional facilities' immate population is continually fluctuating. Historically the Bureau has taken advantage of vacancies in State and local institutions. The Bureau acquired a new 500-bed facility from Wisconsin in 1973. As of June 30, 1974, the Bureau was housing about 5,000 Federal offenders in State and local facilities. The Bureau, however, did not have adequate data on either available space or the number of inmates eligible for the space.

Bureau officials said many State facilities would be unsuitable for housing Federal prisoners because they are antiquated, overcrowded, and have insufficient rehabilitation programs. The Bureau, however, contracts with State and local governments and private agencies for approximately 1,400 units, ranging from local jails and State correctional institutions to private drug abuse clinics. The Bureau has regional representatives responsible for periodically inspecting and monitoring these contract facilities. In most Bureau regions, these officials were bypassed in determining the facility where a prisoner will be committed. Instead, Bureau headquarters, which does not maintain a current inventory of available bed space in non-Federal facilities, usually determined where to commit a prisoner.

The Bureau has infrequently tried to locate unused space in other correctional agencies. For a State included in an August 1974 survey, the Bureau said that all beds were on a space available basis. According to a State official, they had space for 160 men in camp-type facilities and would be interested in discussing their possible use by the Bureau. Another State said beds were contractually allocated for Bureau use but were not being used. Both States are the legal residences of many Bureau inmates. In another region an official from a large local correctional system said he could house anywhere from 100 to 500 Federal inmates, depending on their circumstances, at any particular time.

### A CONGRESSIONAL STAFF STUDY OF BUREAU'S POPULATION AND UTILIZATION OF FACILITIES

The Surveys and Investigations Staff of the House Committee on Appropriations analyzed and investigated the Federal prison system in terms of population estimates and the capacity and use of existing facilities. In its August 5, 1975, report, the staff stated that the Bureau had not adequately justified its request for construction funds either on a short-term basis or when reviewing its long-range construction goals. The staff cited the following major shortcomings:

- -- Lack of a coordinated planning effort.
- -- Inconsistent terminology.
- -- Unclear definitions.
- -- The question of what is overcrowding and whether every inmate should have a single cell.
- -- The underuse of 3,834 set-up beds.
- --Questionable statistics.
- -- The lack of relationship between projection factors and planned growth.
- -- A constantly changing master plan format.

The staff noted that the Bureau had initiated a plan for six corrective actions, including (1) conducting a new Bureau-wide space study which would provide the impetus for a new long-range facility plan, (2) updating procedures and assuring consistency in determining capacity, and (3) developing a more refined systematic method of collecting information relating to the Bureau's total inmate population workload.

#### CONCLUSIONS

Uncertainty as to future events cannot be eliminated, but the Bureau can do more to assure that the proper number and types of prisons will be acquired. A congressional staff study also noted that improvements were needed.

Historically the Bureau has had periods of major increases and decreases in inmate population. The Bureau uses various indicators to forecast population and believes that its current

projected sentenced population is a conservative estimate, particularly in view of the dramatic increase in the inmate population since the beginning of fiscal year 1976. This increase demonstrates further the difficulty in the long-range forecasting of inmate population and the continuing importance of well-developed policies and procedures for projections.

We believe that the Bureau should specify and support, along with its estimate of future population, upper and lower bounds on this estimate. These estimates would allow the Bureau the documented flexibility to develop a strategy for acquiring new facilities that is more responsive to historical fluctuations in inmate populations. In our opinion, the Bureau should plan using the lower bound estimate to assure a conservative posture. Adjustments in the building pace and/or the projected population range can be made as Bureau forecasts are updated. Further, the Bureau should better document (1) the manner and frequency of its forecasts including the specific factors or indicators used and their respective priorities, if different, and (2) its strategies regarding the pace of new construction and the extent to which inmates now in the antiquated facilities could be placed in other facilities if overbuilding occurs.

We appreciate the views of Department of Justice personnel that the Bureau's population projections, as well as other criminal justice system workload projections, would likely be more effective if the Department had a statistical information center which would routinely correlate data from the various criminal justice entities in a systematic manner. The concept has merit and should be further explored by the Department.

Inmate custody is a factor used in planning new institu-The various types of new facilities the Bureau is constructing are designed partly to provide a particular type of custody: maximum, medium, or minimum. Also each type institution must provide a full range of custody needs. Bureau's headquarters did not have complete data on the custody levels of the inmate population. Also, because institutions interpret and use custody assignments differently, validity of custody data at some Bureau institutions was questionable. Better data on inmate custody levels is needed to improve the basis for estimating future facility needs and for overseeing the institution's custody and control practices. The factors and strategies involved in forecasting future custody levels of the expected inmate population should be explained and documented as a part of the long-range plan.

The Bureau supports the popular concept that new prisons should be small. Although the Bureau has established capacity ranges for planning different types of institutions, no studies or evaluations have been made to determine and document an optimum size for the various types of institutions or to compare the effectiveness of various sizes. The Bureau should use the experience it has, and will acquire, in operating institutions, to better develop and support decisions on the size of institutions.

Overcrowding is a major justification for much of the new facility construction planned by the Bureau. Information showing current and future housing capability of existing institutions is, therefore, especially important in devising appropriate solutions. In our opinion, the Bureau has lacked a sound basis for determining how much overcrowding actually existed.

Although there is little doubt that overcrowding does exist in many institutions, the many inconsistencies and various interpretations of institution capacity were confusing and cast doubts upon the reliability of the Bureau's method of measuring capacity and projecting future facility needs. This was the result of not having firm standards and policies for setting current and future housing capacities for existing institutions.

During our review we suggested that the Bureau establish specific guidelines and standards for determining existing institutions' capacities and reassess the extent of over-crowding based upon that criteria. The Bureau has started actions to improve and explain its criteria and to provide a more uniform basis for establishing the capacities of its existing facilities.

The Bureau does not consider greater use of non-Federal facilities a viable alternative to constructing additional Federal prisons. While the Bureau does make considerable use of such facilities, particularly jails, overall efforts to locate unused space in non-Federal facilities have been infrequent and usually cursory.

#### RECOMMENDATIONS

We recommend that the Attorney General direct the Bureau to develop a more detailed and documented long-range plan as support for its program objectives and strategies and also for periodic review and revision. In this regard, we recommend that the Bureau:

- --Maintain a range of estimates of expected population with specification of the possible variations (both higher and lower). The construction program should satisfy the minimum estimate of projected population.
- --Explain in more detail the indicators used to forecast population and the importance, interrelationships, and consistency of their use.
- --Explain the strategies it uses to assure that the proper number and kinds of facilities are being planned and acquired.
- --Acquire and use more complete and accurate information on the security or custody requirements of the existing inmate population and explain all factors used to project security requirements for planned facilities and projected population.

We also recommend that the Bureau review its existing policy guidance and oversight practices relating to inmate custody classifications. Also we encourage the Bureau to make greater efforts to determine the most appropriate sizes of institutions.

### AGENCY COMMENTS

By letter dated March 23, 1976, the Department of Justice said that it agreed with a number of our recommendations which either have been or will be incorporated in its planning activities. (See app. I.) The Department specifically noted the need for a better information and statistical service program to assist in forecasting inmate populations.

Concerning inmate custody data, the Department said the Bureau is developing a better information system on the custody levels of inmates. The Department agreed that better information on custody levels will help in better day-to-day operational administration but it did not believe that the improvements would result in more accurate long-range planning of inmate custody levels because of what it considered other more significant determinants.

The Department commented that the Congress and the executive branch are calling for stronger law enforcement, swifter trials, and more certain punishment and noted the alarming impact on virtually every prison system in the Nation. The Department noted the challenge the Bureau faces to meet increasing responsibilities and said that

momentum achieved during recent years with the support of the Congress must be sustained. We believe that by developing a more supportable and documented base for program decisions and strategies, the Bureau will be able to better meet its challenges and sustain its momentum.

### CHAPTER 3

### LIFE-CYCLE COSTING SHOULD BE

#### USED IN DESIGNING FACILITIES

Our review of the Bureau's proposed construction projects showed that no consideration was given to life-cycle costing in determining the facility designs selected. For several years, evaluating not only construction costs but expected operating costs over the life of the facility (life-cycle costing) has been advocated both within and outside the Government. In our opinion, both the Bureau and the General Services Administration (GSA) are responsible for insuring that future facilities, built for the Bureau, incorporate features during construction that will result in the lowest possible cost of ownership to the Government.

Because of the prisons' long life, operating costs can be expected to exceed initial construction costs. Efforts to reduce costs are normally directed at initial construction costs, although these savings may result in higher operating costs over the facility's life. Life-cycle costing considers a facility's operating cost as well as its initial construction and future capital costs. Future costs are based on cost estimates for the years in which such costs would be incurred. These cost estimates are then discounted to their present values and combined with initial investment costs to arrive at the total present value cost of the proposed design. The present value life-cycle cost thus provides a common basis for comparing various designs.

Our discussions with GSA and Bureau officials showed that life-cycle costs were not being computed for prisons.

The Bureau sets a maximum construction cost for each prison, provides a description of the facilities required, and transfers the necessary funds to GSA for expenditures. GSA manages the facilities' construction, including awarding and administering the architectural and engineering contracts. When a facility is completed, it is owned and managed by the Bureau.

GSA officials said they are beginning to use life-cycle costing to evaluate office building designs. Further, they think that life-cycle costing could be done for prisons as well. At present, GSA has no criteria for applying life-cycle costing techniques to a prison design, because they have little knowledge of prison systems or operations. However, GSA officials said life-cycle costing could still be done by including it as a provision in the architectural and engineering contracts.

### CONCLUSION

The Bureau has not considered using life-cycle costing techniques in selecting facility designs. We believe that such analysis would, in the long run, result in lower overall costs to the Government.

### RECOMMENDATION

We recommend that the Attorney General direct the Bureau to make future selections of facility designs after determining life-cycle costs.

#### AGENCY COMMENTS

The Department of Justice agreed with our recommendation and will incorporate life-cycle cost techniques in its future planning. (See app. I.)

By letter dated October 28, 1975, GSA agreed that features should be incorporated in Federal construction projects to attain the lowest possible cost of ownership over the facility's life. GSA said that it is among those organizations inside and outside of Government that advocates life-cycle costing and believes it should be given priority attention. GSA noted that it and other Federal agencies are actively working toward establishing total life-cycle cost data and related decisionmaking mechanisms. (See app. II.)

### CHAPTER 4

### SCOPE OF REVIEW

We examined pertinent Bureau policies, procedures, and documents and read literature related to correctional facilities and inmate rehabilitation.

We interviewed Bureau personnel, Federal judges, and U.S. probation officers, and representatives of the U.S. Board of Parole, Immigration and Naturalization Service, and GSA. We also contacted officials responsible for administering several State and local correctional programs.

Our review was made principally from June through December 1974, at Bureau headquarters at Washington, D.C., and at the following eight institutions.

Institution	Description	Number of inmates
Federal Correctional Institution, Terminal Island, California	Intermediate term adult institution with sepa-rate facilities for men and women	839
Federal Correctional Institution, Lompoc, California	Young adult institution	876
Federal Prison Camp, Lompoc, California	Short-term camp for adults	277
Federal Prison Camp, Safford, Arizona	Short-term camp for adults	271
Federal Correctional Institution, Seagoville, Texas	Young adult institution	427
Federal Correctional Institution, Texarkana, Texas	Intermediate-term institution for adults	645
U.S. Penitentiary, Atlanta, Georgia	Long-term penitentiary for adults	2,065
Federal Prison Camp, Eglin Air Force Base, Florida	Short-term camp for adults	379
		a/5,779

a/Represents 24.3 percent of the 23,566 inmate population in Bureau-operated facilities at June 30, 1975.

APPENDIX I APPENDIX I



#### OFFICE OF THE DEPUTY ATTORNEY GENERAL WASHINGTON, D.C. 20530

March 23, 1976

The Honorable Elmer B. Staats Comptroller General of the United States Washington, D. C. 20548

Dear Mr. Staats:

Since our meeting on February 12, 1976 there have been several additional conferences involving members of our staff concerning the proposed report to Congress titled "Federal Construction Plans Should Be Better Developed and Supported." As a result, we believe there has been substantial progress towards a better understanding of the underlying issues related to the Bureau's facility development program.

There are a number of recommendations contained in the report with which we agree. Most of these have now been incorporated into our planning activities and others will be included in the future.

We especially agree that the Federal Criminal Justice System requires a better information and statistical service program. Inadequate and often uncoordinated data between various elements of the criminal justice system hampers our effectiveness. It is particularly difficult to accurately forecast future inmate populations for lack of reliable information about activities over which the Bureau of Prisons has no responsibility. With the support of Congress we hope to establish an integrated information and statistical service system.

The Bureau also should have a better information system on the custody levels of inmates in various institutions, and improvements will be included in the Bureau's new automated inmate information system now under development. More current information concerning custody levels will assist in better day-to-day operational administration. We disagree, however, that these improvements will result in more accurate long range planning of inmate custody levels. Anticipating future demographic trends, legislative proposals, prosecution, sentencing and parole policy are the more significant determinants. Moreover, flexible planning and design of future institutions are of paramount importance to ensure adaptability to changing requirements in the decades ahead.

APPENDIX I APPENDIX I

I want to express my appreciation for your personal interest in the Bureau's facilities development program. The Congress and the Executive Branch are calling for stronger law enforcement, swifter trials and more certain punishment. The impact on virtually every prison system in the nation is alarming and the federal prison system's population alone has reached an all-time high, rising by about 2,000 in the past five months. The challenge is in further developing the Bureau's capability to meet the increasing responsibilities that lie ahead. The momentum achieved during recent years with the support of Congress must be sustained.

Sincerely,

20013

Deputy Attorney General

APPENDIX II APPENDIX II

### UNITED STATES OF AMERICA GENERAL SERVICES ADMINISTRATION

WASHINGTON, DC 20405

October 28, 1975



Honorable Elmer B. Staats Comptroller General of the United States General Accounting Office Washington, DC 20548

Dear Mr. Staats:

Thank you for the opportunity to review and comment on your draft report to the Congress titled "Federal Prison Construction Plans Should Be Better Developed," dated August 1975.

For many years, the Bureau of Prisons (BOP) has requested the General Services Administration (GSA) to administer its projects during the design and construction phases. However, GSA was not involved in any way in the selection of the construction sites for these facilities, or provided any input as to the type and number of inmates to be housed.

We agree that features should be incorporated in Federal construction projects to attain the lowest possible cost of ownership over the life of a facility. GSA is among those organizations inside and outside Government that advocates life-cycle costing and believes it should be given the utmost attention.

GSA agrees that a total life-cycle cost program does not exist at present. However, contracts for professional architectural and engineering (A-E) services for office building design normally include requirements for providing the most economical building based on life-cycle costing. The architect-engineer is urged to make maximum use of cost-benefit analysis to evaluate system and materials alternatives. The A-E is also required to submit life-cycle costing analysis for the composite design of heating. refrigeration, and electrical facilities. Structural framing systems, materials, and erection methods are also the subject of cost-benefit analysis. The GSA handbook "Criteria for a Federal Office Building," PBS P 3425.8, requires that these criteria be incorporated into all GSA A-E professional services contracts executed after Hovember 3, 1971. Under these requirements, limited life-cycle cost analyses are used to select structural, mechanical, and electrical systems. For total lifecycle costing, these and all other building systems must be integrated, inter-relationships established, and appropriate service-life and cost data developed.

Subject to budget limitations for such development contracts, GSA, together with other Federal agencies, is actively working toward establishing total life-cycle cost data and related decisionmaking

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APPENDIX II APPENDIX II

mechanisms. An example of this effort is a study GSA initiated with the National Bureau of Standards Experimental Technology Incentive Program Staff to develop specific criteria and data which will allow application of the life-cycle cost concept to the planning and budgeting phases of the construction process. The study is approximately 75 percent complete, and a final report is anticipated in early 1976.

Please do not hesitate to contact us if any additional information is required regarding our comments on the report.

Sincerely,

APPENDIX III APPENDIX III

## PRINCIPAL OFFICIALS RESPONSIBLE FOR ADMINISTERING ACTIVITIES DISCUSSED IN THIS REPORT

Tenure	of	office
From		To

### DEPARTMENT OF JUSTICE

ATTORNEY GENERAL OF				
THE UNITED STATES:				
Edward H. Levi	Feb.	1975	Prese	nt
William B. Saxbe	Jan.	1974	Feb.	1975
Robert H. Bork (acting)	Oct.	1973	Jan.	1974
Elliot L. Richardson	May	1973	Oct.	1973
Richard G. Kleindienst	June		May	1973
Richard G. Kleindienst (acting)	Mar.	1972	June	1972
John N. Mitchell	Jan.	1969	Feb.	1972
DIRECTOR, BUREAU OF PRISONS:				
Norman A. Carlson	Mar.	1970	Prese	nt

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